



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/626,309	07/26/2000	Yoshio Miyazaki	.450100-02617	7899

20999 7590 07/16/2004

FROMMER LAWRENCE & HAUG  
745 FIFTH AVENUE- 10TH FL.  
NEW YORK, NY 10151

EXAMINER

ARMSTRONG, ANGELA A

ART UNIT	PAPER NUMBER
----------	--------------

2654

DATE MAILED: 07/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/626,309

Applicant(s)

MIYAZAKI ET AL.

Examiner

Angela A. Armstrong

Art Unit

2654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 July 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07/26/2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

1. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buchner et al (US Patent No. 6,535,854).

Buchner discloses a system for speech recognition control of remotely controllable devices in a home network environment.

2. Regarding claims 1, 2 and 7, Buchner discloses a voice input means for inputting the operator's voice (col. 2, lines 61-67); a control means for controlling the input/output of said electronic device through recognition of the operator's voice inputted by said voice input means (Figure 2; col. 2, lines 28-67; col. 10, lines 12-50); wherein, when any unregistered electronic device has been connected to said control means, said control means registers a voice recognition

Art Unit: 2654

table provided from said electronic device (col. 4, lines 17-45; col. 9, lines 33-35; col. 10, lines 51-67; col. 11, lines 1-30), and when the operator's voice has been inputted by said voice input means, said control means compares the operator's voice with the voice recognition table of the preregistered electronic device, and then controls the input/output of said electronic device in accordance with the result of comparing the operator's voice with the voice recognition table (Figure 2, col. 2, lines 28-67; col. 10, lines 12-50).

Buchner does not teach a prerecorded voice recognition table where an operator's voice is stored in advance as an expected value. However, providing a recognition vocabulary from a specific speaker so as to improve recognition accuracy was well known in the art of speech recognition.

It would have been obvious to one of ordinary skill at the time of the invention to modify the system of Buchner to implement a speaker specific recognition vocabulary, as was well known in the art, for the purpose of improving the recognition accuracy of the speech recognizer.

3. Regarding claim 3, Buchner teaches the voice input means, the voice recognition unit and the controller, wherein said voice recognition unit recognizes the voice by comparing the voice recognition table of the registered electronic device with the input operator's voice, and when the operator's voice is coincident with the expected value in the voice recognition table, said voice recognition unit converts the operator's voice into voice text data by the use of said voice recognition table and then transfers the voice text data to said controller (col. 3, lines 25-20).

4. Regarding claim 4, the voice input means, the voice recognition unit and the controller, wherein, when the operator's voice inputted by said voice input means has been recognized to indicate the operation of said electronic device, said controller controls the input/output of said

Art Unit: 2654

electronic device in accordance with the voice text data transferred from said voice recognition unit and indicating the operation of said electronic device (Figure 2; col. 2, lines 28-67; col. 10, lines 12-50).

5. Regarding claim 5, Buchner teaches the voice input means, the voice recognition unit and the controller, wherein, when the operator's voice inputted by said voice input means has been recognized to indicate the predetermined name of said electronic device, said controller receives the voice text data transferred from said voice recognition unit and indicating the name of said electronic device, and instructs said voice recognition unit to use the voice recognition table of said electronic device for execution of subsequent voice recognition (col. 10, lines 13-33).

6. Regarding claim 6, Buchner teaches voice input means, the voice recognition unit and the controller, wherein said voice input means, voice recognition unit and controller are connected mutually via a communication line, and the operator's voice inputted by said voice input means and the voice text data are both transmitted to said communication line (col. 2, lines 28-67; col. 8, line 66 continuing to col. 9, line 19).

7. Regarding claim 8, Buchner teaches upon recognition of the operator's voice, detecting whether any duplicate expected values are present or not with regard to the same voice in a plurality of the voice recognition tables registered in said control section, and upon detection of any duplicate expected values, notifying the operator of such detection of the duplicate expected values, and further notifying the operator of a selection procedure for processing the duplication of the expected values (col. 10, lines 13-33).

8. Regarding claim 10, Buchner teaches upon registration of the voice recognition tables of the plural electronic devices connected to said control section, detecting whether any duplicate

Art Unit: 2654

expected values are present or not with regard to the same voice in the plural voice recognition tables registered in said control section, and upon detection of any duplicate expected values, notifying the operator of such detection of the duplicate expected values, and further notifying the operator of a reregistration procedure for processing the duplication of the expected values (col. 8, lines 18-33).

9. Regarding claims 9 and 11, Buchner does not teach the selection procedure or reregistration procedure is displayed. However, providing a visual display of selections or menu options to the user to facilitate user operation was well known.

It would have been obvious to one of ordinary skill at the time of the invention to modify the system of Buchner to display the selection and reregistration procedures to the user to facilitate user operation, because such a modification would assist the user in selecting the desired option on the first attempt, and thereby make the system more user friendly.

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

11. Borgstahl et al (US Patent No. 5,909,183) discloses an interactive appliance remote controller system and method.

Geilhufe et al (US Patent No. 6,584,439) discloses method and apparatus for controlling voice-controlled devices.

Art Unit: 2654

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela A. Armstrong whose telephone number is 703-308-6258.

The examiner can normally be reached on Monday-Thursday 7:30-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (703) 305-9645. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Angela A. Armstrong  
Examiner  
Art Unit 2654

AAA  
July 8, 2004

*Angela Armstrong*